



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
101 West Pleasant Street, Suite 100A
Milwaukee, Wisconsin 53212-3963
TDD #: (608) 264-8777

Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 48
Comm #: 53190-2042-24-A
BRRTS #: 03-65-004513
Site Name: Frawley Oil Company
Site Address: 662-650-624 E. Milwaukee St., Whitewater, Wisconsin 53190
Site Manager: Nancy Ryan
Address: 1155 Pilgrim Rd.
City, State, Zip: Plymouth, Wisconsin 53073-4294
Phone: (920) 892-8756
e-mail: Nancy.Ryan@Wisconsin.Gov
Bid Manager: Monica L. Weis
Address: 101 W. Pleasant St., Suite 100A
City, State, Zip: Milwaukee, Wisconsin 53212-3963
Phone: (414) 220-5361
e-mail: Monica.Weis@Wisconsin.Gov

Bid-Start Date:	March 26, 2007
Questions must be received by (See Section 2 (B)):	April 9, 2007 4:00 PM
Responses will be posted by (See Section 2 (B)):	April 27, 2007
Bid-End Date and Time:	May 11, 2007 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Milwaukee, 757 N. Broadway, Ste 200, Milwaukee, WI 53202
Phone: (414) 276-2679 Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

General Comments

The Frawley Oil Company site consists of three adjacent properties on East Milwaukee Street in Whitewater. The Eastsider Car Wash at 624 East Milwaukee Street was a former petroleum bulk storage facility with 7 aboveground storage tanks (ASTs) and 6 underground storage tanks (USTs) containing fuel oil, leaded and unleaded gas and diesel fuel. These tanks are believed to have been removed from the property in 1985. The Eastsider Citgo at 650 East Milwaukee Street is an operating gas station with 5 USTs containing diesel fuel and unleaded gasoline currently in use. Eastsider Firestone at 662 East Milwaukee Street is also a petroleum bulk storage facility with 8 ASTs currently in use on this property. The Eastsider Firestone property formerly had both ASTs and USTs. The ASTs were replaced during tank upgrade activities.

Groundwater contamination is present across all three properties, with the highest concentrations on the 624 and 662 properties in the vicinity of the former AST areas. Free product has been identified on the 624 property on occasion at monitoring well VMW-2 and had been consistently present at the 662 address in wells MW-11, MW-12, MW-13 and Sumps 1 and 2 until the remedial actions in 2001. Free product levels have been reduced to less than .01 foot in these wells.

Remedial activities on these properties have included a SVE/groundwater extraction system on the 624 property that operated from 1995-1998 (system is still in place); excavation and disposal of approximately 2,300 tons of contaminated soil and free product from the 662 property in 2001. Highly contaminated soil remains in the vicinity of the former ASTs on the 624 property.

Subsurface soils consist of layers of silt, clay, gravel and sand to an average depth of approximately 7.5 feet below ground surface (bgs) where dolomite bedrock is encountered. Shallow groundwater is present between three and 7 feet bgs. Groundwater monitoring wells on the 624 property were constructed with 5 foot screens, approximately 4-9 feet bgs, to the top of bedrock. Wells on the other two properties were installed with screened intervals between 5-15 feet, extending into bedrock. Bedrock at the 662 and 650 properties was encountered at approximately 5 to 6 feet bgs.

Minimum Remedial Requirements

The Departments of Natural Resources (DNR) and Commerce expect three goals to be accomplished at completion of the bid scope of work. The goals are:

- 1) Install four bedrock monitoring wells,
- 2) Complete one year of groundwater sampling, and
- 3) Prepare and submit a comprehensive report.

Bedrock Monitoring Well Installation

Install 4 soil borings and convert to bedrock monitoring wells on the 624 E. Milwaukee property in the following locations: one near GP-14, one just north of VMW-3, one near GP-13 and one next to VMW-1. Wells must be installed at least 5 feet into bedrock and constructed and developed in accordance with ch. NR 141, Wis. Adm. Code. Complete documentation on well construction and development forms is required. Soil shall be field screened and a physical description documented on soil boring logs. Selected bidder must confirm well locations with DNR project manager prior to construction.

Groundwater Sampling

Perform one year of groundwater sampling on a quarterly basis according to the following table:

Well ID	Round 1	Round 2	Round 3	Round 4
624 property 4 new wells	Sample PVOCs PAHs GW Elev	Sample PVOCs Naphthalene GW Elev	Sample PVOCs Naphthalene GW Elev	Sample PVOCs Naphthalene GW Elev
662 property MW-11, MW- 12, MW-13, Sump1, Sump 2	Sample PVOCs Naphthalene GW Elev	Sample PVOCs Naphthalene GW Elev	Sample PVOCs Naphthalene GW Elev	Sample PVOCs Naphthalene GW Elev
MW-8		Sample PVOCs Naphthalene GW Elev		Sample PVOCs Naphthalene GW Elev
MW-2, MW- 14, MW-15, MW-16, MW- 17		GW Elev		Sample PVOCs Naphthalene
All VMW wells MW-10, MW- 16, PZ-2, PZ- 3, PZ-4		GW Elev		GW Elev
Generate groundwater flow map		Yes		Yes

Groundwater samples shall be laboratory analyzed for PVOCs and PAHs/naphthalene according to the table. Sampling techniques and protocols must follow DNR sampling guidance found in the Groundwater Sampling Field Manual Publication DG 038 96 and include appropriate number of quality control samples. Record free product thickness, if present, and collect groundwater samples regardless of whether product is present.

Groundwater elevations must be measured according to the table prior to sample collection. A groundwater flow map must be generated for the second and fourth rounds.

Properly dispose of all sampling wastes generated from all activities conducted under this bid scope of work and provide all waste disposal documentation.

After each of the first three rounds of groundwater sampling, submit a summary table of groundwater analytical results along with copies of the laboratory reports to the DNR project manager within 30 days from sample collection.

Report Preparation and Submittal

Upon completion of the scope of work, prepare a comprehensive report documenting well installation and groundwater sampling activities. The report must include groundwater elevation data and flow maps; isoconcentration maps of groundwater contamination; updated data tables that effectively present groundwater contamination data and present historical data on one table. No hand-drawn maps will be accepted. The report shall also contain recommendations for additional work with a cost estimate to complete the work or include a cost estimate to complete a closure request and GIS Registry packet if closure is the recommendation.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

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Department of Commerce PECFA Program

SITE NAME: Frawley Oil Company

COMMERCE #: 53190-2042-24-A

BRRTS #: 03-65-004513

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W. Washington Ave., Madison, WI 53703-2790 or
P.O. Box 8044, Madison, WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Frawley Oil Company

COMMERCE #: 53190-2042-24-A

BRRTS #: 03-65-004513

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Bedrock well installation – 4 wells	\$	
2	One year of gw monitoring – quarterly basis according to table provided in Section 2	\$	
3	Soil and gw waste disposal	\$	
4	Submittal of gw data after each of three events	\$	
5	Final report preparation	\$	
6	PECFA claim preparation	\$	
7	Total Bid Amount	\$	